

PART-IV**HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH*****Correction Slip***

The 6th December, 2018

No. 38/Rules/II.D4 Dated 27-11-2018.—

Rule 2 of Chapter-1, Part C (i) of the Rules and Orders of Punjab and Haryana High Court, Volume-III, after amendment, will read as under:-

- “2. **Discretion of Magistrate to issue summons or warrants:-** Even where the law provides for the issue of a warrant in the first instance, a magistrate may, in his discretion, issue a summons/e-summons. On the other hand, a magistrate may, after recording his reasons for so doing, issue a warrant instead of a summons in a case in which the law provides for the issue to the first instance of a summons. Sections 90 and 2014 of the Code should be referred to on this subject. The former section authorizes the issue of a warrant instead of a summons (1) where the Court has reason to believe that the accused has absconded or will not obey the summons, or (2) if, after service of a summons, the accused fails to appear and offers no reasonable excuse for non-attendance. It should also be borne in mind that where process-fees or other fees are payable, a process should not be issued until such fees are paid and that in default of payment of the fees within a reasonable time, the magistrate may dismiss the complaint.”

BY ORDER OF HON'BLE THE CHIEF JUSTICE AND JUDGES.

B.B.S. TEJI,
Registrar (Rules),
for Registrar General.